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10/083,121	02/27/2002	Hiroshi Tsuda	826.1792	3398

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EXAMINER	
NGUYEN, CINDY	
ART UNIT	PAPER NUMBER
2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/083,121	TSUDA, HIROSHI	
	Examiner	Art Unit	
	Cindy Nguyen	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/27/07*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3, 6-26, 28-40, 44, 46-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-3, 6-9, 15-17, 22-26, 28-30, 33-40, 44-54* is/are allowed.

6)☒ Claim(s) *10-14, 18-21, 31, and 32* is/are rejected.

7)☒ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/20/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This is response to amendment filed 02/27/07.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 12/20/06 was filed after the mailing date of the non final rejected on 10/20/05. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive.

Regarding to applicant's argument (remark page 15-17), Matsuda clearly discloses: a document relation judgment method a computer-readable storage medium that stores a program for enabling the computer which is connected with a network to judge a relation between documents in a network via, comprising: extracting a link relation from a first document (i.e., extract a link feature form the HTML document, extracts link information from the HTML document , col. 7, lines 18-19, Matsuda); extracting a predetermined character string which links a second document in the first document from (i.e., extracting features of HTML documents which are linked with the

target HTML document and of HTML documents which the target HTML document is linked, col. 12, lines 22-31, Matsuda); judging whether a second document linked to by the first document (HTML document) is a non-text document (image files) related to contents of the first document, based on the link relation (i.e., the formats are extracted from the image files of the five underlined portions (banner.gif, win2.gif, r.sub.13 tit.gif, r500.gif, and r300.gif). If necessary, the images may be read by an OCR (Optical Character Reader), and the extracted character strings may be sent to the verifier. In FIG. 6, the rule "image: laboratory: 4: ocr=laboratory" matches the character strings read by the OCR, and means adding four points when the character string "laboratory" is extracted after the process of the OCR, col. 6, lines 52-65, Matsuda).

Matsuda clearly discloses: a computer-readable storage medium that stores a program for enabling a computer to judge a type of a service provided by a document in a network, the process comprising:

Extracting a tag for designating user input from the document (i.e., the HTML document is input to the structure feature extracting section and feature extracting section starts the tag structural feature extractor, col. 8, lines 23-35, Matsuda); and

Judging the type of the service provided by the document (i.e., the structural feature extracting section extracts the tag information from the HTML document and determines the type of the document, col. 8, lines 36-40), based on the tag designating user input (i.e., the structural feature extracting section extracts the tag information from the HTML document and determines the type of the document, col. 8, lines 36-40, Matsuda) and sort the judged service type in relation to the document. (i.e. a hyper-text document preparing apparatus

410 comprises the node classifying unit 108, a node preparing unit 411 for preparing a plurality of nodes expected to be ranked in a predetermined order for each service, col. 10, lines 23-30, Inoue). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include ranking step in the system of Matsuda as taught by Inoue. The motivation being to prepare each of service by ranking the particular service, therefore can be easily arranged in the ranked order, col. 4, lines 15-31, Inoue.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10-12, 19-21, 31, 32, 42 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda (US 6718333).

Regarding claims 10, 31, Matsuda discloses: a document relation judgment method a computer-readable storage medium that stores a program for

enabling the computer which is connected with a network to judge a relation between documents in a network via, comprising:

extracting a link relation from a first document (i.e., extract a link feature form the HTML document, extracts link information from the HTML document , col. 7, lines 18-19, Matsuda);

extracting a predetermined character string which links a second document in the first document from (i.e., extracting features of HTML documents which are linked with the target HTML document and of HTML documents which the target HTML document is linked, col. 12, lines 22-31, Matsuda).

judging whether a second document linked to by the first document (HTML document) is a non-text document (image files) related to contents of the first document, based on the link relation (i.e., the formats are extracted from the image files of the five underlined portions (banner.gif, win2.gif, r.sub.13 tit.gif, r500.gif, and r300.gif). If necessary, the images may be read by an OCR (Optical Character Reader), and the extracted character strings may be sent to the verifier. In FIG. 6, the rule "image: laboratory: 4: ocr=laboratory" matches the character strings read by the OCR, and means adding four points when the character string "laboratory" is extracted after the process of the OCR, col. 6, lines 52-65, Matsuda).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Matsuda discloses: further comprising: extracting the predetermined character string located in a vicinity of a part which the first

document is linking to the second document, from the first document (verifier 120 fig. 1 verifies the image features, link features of a documents, col. 11, lines 42-46; col. 12, lines 32-52, Matsuda), wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on the character string (verifier 120 fig. 1 verifies the image features of a documents, col. 11, lines 42-46; col. 12, lines 32-52, Matsuda).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11 above. In addition, Matsuda discloses: wherein when the predetermined character string includes a specific character string, it is determined that the second document is the non-text document related to the contents of the first document (determine the type of document and calculates the relevance to each type of document col. 8, lines 36-40, Matsuda).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Matsuda discloses: further comprising judging, if there is a fourth document linked to by the second document, whether the second document is the non-text document related to the contents of the first document, based on both document location information about the first document indicating location in the network of the document and document location information about the second document (col. 9, lines 45-55, Matsuda).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Matsuda discloses: wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on both the document location information about the first document and document location information about the fourth document (col. 9, lines 45-55, Matsuda).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Matsuda discloses: wherein if a fifth document is linked to by the second document and if a server address or a domain in each of the document location information about the second document indicating location in the network of the document and document location information about the fifth document is different from a server address or a domain in document location information about the first document, it is determined that the second document is not the non-text document related to the contents of the first document col. 9, lines 45-55, Matsuda).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda (US 6718333) in view of Mukai (U.S 6446095).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 10 above. However, Matsuda didn't disclose: wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on an extension of a file name of the second document. On the other hand, Mukai discloses: wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on an extension of a file name of the second document (col. 7, lines 40-63, Mukai). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on an extension of a file name of the second document In the system of Matsuda as taught by Mukai. The motivation being to enable to judge the document types as non-text data by having file name.

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13 above. In addition, Matsuda/Mukai discloses: wherein if the extension is not a specific extension, it is determined that the second document is not the non-text document related to the contents of the first document (col. 7, lines 40-63, Mukai).

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda (US 6718333) in view of Page (U.S 6285999).

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 10 above. However, Matsuda didn't disclose: not registering the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order. However, Page discloses: not registering the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order (col. 8, lines 21-48, Page). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order in the system of Matsuda as taught by Page. The motivation being to provide the list of documents is sorted with high ranking documents first and low ranking documents last (col. 8, lines 21-48, Page).

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda (US 6718333) in view of Inoue et al. (US 6014678) (hereafter Inoue).

Matsuda clearly discloses: a computer-readable storage medium that stores a program for enabling a computer to judge a type of a service provided by a document in a network, the process comprising:

Extracting a tag for designating user input from the document (i.e., the HTML document is input to the structure feature extracting section and feature extracting section starts the tag structural feature extractor, col. 8, lines 23-35, Matsuda); and

Judging the type of the service provided by the document (i.e., the structural feature extracting section extracts the tag information from the HTML document and determines the type of the document, col. 8, lines 36-40), based on the tag designating user input (i.e., the structural feature extracting section extracts the tag information from the HTML document and determines the type of the document, col. 8, lines 36-40, Matsuda).

However, Matsuda didn't disclose: sort the judged service type in relation to the document. On the other hand, Inoue discloses: sort the judged service type in relation to the document (i.e. a hyper-text document preparing apparatus 410 comprises the node classifying unit 108, a node preparing unit 411 for preparing a plurality of nodes expected to be ranked in a predetermined order for each service, col. 10, lines 23-30, Inoue). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include ranking step in the system of Matsuda as taught by Inoue. The motivation being to prepare each of

service by ranking the particular service, therefore can be easily arranged in the ranked order, col. 4, lines 15-31, Inoue.

Allowable Subject Matter

Claims 1-3, 6-9, 22-26, 28-30, 33-40, 44, 46-54 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record failed to disclose: make obvious, or otherwise suggest a popularity degree calculation method and a computer readable storage medium that stores a program for enabling a computer for calculating a popularity degree indicating the height of a popularity of a document in a network via an apparatus connected with the network, the method comprising calculating a popularity transition degree indicating both a direction and a degree of transition of the popularity degree for each of the extracted documents based on the popularity degree during the first time period and the second time period, to thereby obtain a difference indicating how the popularity degree of each of the documents changes in a time series order as recited in claims 1, 26, 44 and 50, 51.

The prior art of record failed to disclose: make obvious, or otherwise suggest a service type judgment method for judging a type of a service provided by a document in a network via an apparatus connected with the network, the method comprising: calculating a popularity transition degree indicating both a direction and a degree of transition of the popularity degree for each of the extracted documents based on the popularity degree during the first time period and the second time period, to thereby

obtain a difference indicating how the popularity degree of each of the documents changes in a time series order as recited in claim 22.

The prior art of record failed to disclose: make obvious, or otherwise suggest: a document retrieval method and apparatus for searching for a document in a network via an apparatus connected with the network, the method comprising: calculating a popularity transition degree indicating both a direction and a degree of transition of the popularity degree for each of the extracted documents based on the popularity degree during the first time period and the second time period, to thereby obtain a difference indicating how the popularity degree of each of the documents changes in a time series order as recited in claims 33, 39 and 40, 54.

The dependent claims 2, 3, 6-9, 23-25, 28-30, 34-38, 46-49, 52, 53 being further limiting to the independent claims 1, 22, 26, 33, 44 and 51 definite and fully enable by the specification are also allowed.

Claims 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record failed to disclose: make obvious, or otherwise suggest: wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on whether the second document is used a prescribed number of times or more in the first document as recited in claim 15.

The dependent claims 16, 17 being further limiting to the independent claim 15 definite and fully enable by the specification are also allowed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen

May 22, 2007

CN

APU MOFIZ
SUPERVISORY PATENT EXAMINER